



A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

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OWTS Policy
State Water Resources Control Board
Sent via e-mail (owts_commentletters@waterboards.ca.gov)

The following is a summary of comments I provided at the November 2 Public Hearing in Santa Rosa.

In the process of approving local programs (Tier 2), it is important to recognize that the vast majority of local programs work well from a water quality standpoint and have been finely tuned to meet the needs and special circumstances of their communities. It is critically important to our citizens, and frankly just common sense, to ensure the approval process for local programs be efficient and rational.

While Regional (and State) Boards have great skills in certain areas, understanding local programs is not necessarily one of them. Specific examples in Napa include adoption of a Pathogens TMDL that included septic systems as a likely contributor to creek contamination, when the data and local experience indicated otherwise. Three years and \$150,000 of consultant expenses (not to mention staff time) were expended to come back to that same conclusion. Similarly, while our office is capable of processing most permits in days, the Regional Boards (RBs) that we deal with often take weeks and months to accomplish the same tasks on permits that are under their jurisdiction.

We do not in any way wish to diminish the value of the RBs. In fact, by allowing us to do what we do well, we free up the RBs to do what they do well.

We remain very **concerned that the process for approving local programs will be expensive and time consuming**. We are also **concerned that the RBs will layer new and unnecessary requirements** on local programs, both in the areas of monitoring programs and septic system design. This is a particular problem for us, as we are within the jurisdiction of two RBs that don't always agree with each other.

We ask that:

- The State Board show the leadership to insist that the approval processes for local programs be streamlined, efficient, and rational;
- That the Regional Boards be clearly directed to minimize cost and disruption to local programs;
- **That the OWTS Policy be modified to specifically require that RBs give deference to local program operations, except in the situations where the RBs possess substantial evidence that a program is deficient.**

In short, the vast majority of local programs work. Absent evidence to the contrary, the approval process should leave them largely intact and not burdened by either a difficult approval process or burdensome new requirements.

Respectfully,

Steven E. Lederer
Director, Department of Environmental Management